

Jong P. Hong (SBN 225785)
jong.hong@dechert.com
Daniel B. Epstein (SBN 240793)
daniel.epstein@dechert.com
Dechert LLP
2440 W. El Camino Real
Suite 700
Mountain View, California 94040-1499
Telephone: +1 650 813 4800
Facsimile: +1 650 813 4848

Attorneys for Applicant
HIGH POINT S.A.R.L.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re Application of HIGH POINT, S.A.R.L.
Pursuant to 28 U.S.C. § 1782,

Applicant

Case No.

**ORDER RE APPLICATION OF HIGH
POINT, S.A.R.L. PURSUANT TO 28 U.S.C.
§ 1782**

Upon consideration of the Application of High Point, S.A.R.L. ("High Point") Pursuant to 28 U.S.C. § 1782, the Memorandum of Law, and the supporting declarations, and it appearing that the requirements of 28 U.S.C. § 1782 have been satisfied, it is hereby

ORDERED that High Point's Application is granted and that High Point is authorized pursuant to 28 U.S.C. § 1782 to serve subpoenas substantially similar to those attached hereto as Exhibits 1 and 2 on Huawei Technologies Co., Ltd. and Futurewei Technologies, Inc., respectively.

IT IS FURTHER ORDERED

(1) that Daniel B. Epstein, or another attorney from Dechert LLP, counsel to High Point, is appointed to issue and sign the subpoenas and cause them to be served upon Huawei Technologies Co., Ltd. and Futurewei Technologies, Inc., pursuant to Fed. R. Civ. P. 45;

- 1 (2) that Huawei Technologies Co., Ltd., and Futurewei Technologies, Inc., shall each
2 produce responsive documents within fourteen days following the service of the
3 subpoenas;
- 4 (3) that within ten days following production of documents, Huawei Technologies Co.,
5 Ltd., and Futurewei Technologies, Inc., shall each provide one or more witnesses
6 under Rule 30(b)(6) of the Federal Rules of Civil Procedure to testify with respect to
7 the topics in the subpoenas; and
- 8 (4) that discovery shall not be withheld on the basis of confidentiality; absent a stipulation
9 of the parties or a further protective order from this Court, the Protective Order
10 authorized by the Northern District of California shall govern discovery. *See* Patent
11 L.R. 2-2.

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14 Dated: 3/3/10

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17 UNITED STATES DISTRICT COURT JUDGE
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